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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,386	11/12/2003	Katsuichiro Yamaguchi	90976	9604
24628	7590	06/27/2005	EXAMINER	
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			LAYNO, BENJAMIN	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/712,386

Applicant(s)

YAMAGUCHI ET AL.

Examiner

Benjamin H. Layno

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/13/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fantle Jr. in view of Langan.

The patent to Fantle Jr. discloses a bingo game sheet 10 for playing a game in combination with a baseball game. The bingo sheet comprises nine rows (at least five rows) 12 and nine columns (at least five columns) 14 which intersect to form a nine by nine matrix (at least a five by five matrix) having eighty-one zones (at least twenty-five zones). Each of the rows and columns are associated with a particular inning number so that one zone becomes associated with the two inning numbers. For example, the zone designated 16SO at the intersection of column eight (Home eighth inning) and row nine (Visitors ninth inning) designates a strike out (SO). Each zone corresponds to a play or event associated with a baseball game, e.g. SO = Strike Out, HT = Hit, HO = Home Run, WLK = Walk, HT = Hit By Pitch, Fig. 2. The arrangement of each of Fantle's bingo sheets is unique, see col. 4, lines 6-8. The zones may each include a perforation for punch-out, col. 4, line 28.

The patent to Langan discloses a bingo-type game sheet 10 for playing a game in combination with a baseball game. Langan's bingo game sheet comprises an

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identifying means including an access number 200, a game designation number 202 and year 204 for identifying a particular baseball game. In view of such teaching, it would have been obvious to incorporate an identifying means to Fantle's bingo game sheet in order to associate Fantle's bingo game sheet with a particular game for security purposes.

Langan also discloses that it is well known in the bingo art to provide a memorizing means or central processor 404 for memorizing the arrangement of the zones of each bingo game sheet. Langan's central processor also monitors events of the baseball game and determines how many lines are covered in each bingo game sheet, 410, 412, col. 19, lines 29-62. In view of such teaching, it would have been obvious to incorporate a computer system to Fantle's bingo game. A central processor would have memorized the arrangement of zones on each of Fantle's bingo sheets, would have monitored events of the baseball game, and would have determined how many lines are covered on each bingo game sheet. This modification would have more quickly and accurately determined winners of Fantle's bingo game.

In regard to claim 9, Langan teaches that the central processor is responsive when asked through telephone 500, mail 408, e-mail and web 402. In view of such teaching, it would have been obvious to have the computer system of Fantle, as modified above, to be responsive to telephone, mail, e-mail and web in order for players to participate in Fantle's bingo game from various remote locations.

Concerning claim 6, Langan teaches that it is known in the bingo game art to provide a section for describing prizes 12a – 12h. In view of such teaching it would have

been obvious to modify Fantle's bingo game sheet by incorporating a section for describing prizes. This modification would have made Fantle's bingo game more exciting.

In regard to claim 5, it is well known in the lottery and bingo art to provide a section on the sheet for describing the rules of the game. In view of such teaching, it would have been obvious to modify Fantle's bingo game sheets by providing a section on the sheet for describing rules of the game for convenience.

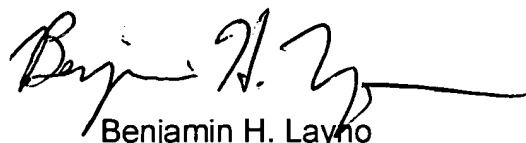
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patent to Jaimet discloses a sports bingo game.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin H. Layno whose telephone number is (571) 272-4424. The examiner can normally be reached on Monday-Friday, 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (571)272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Benjamin H. Layno", with a long horizontal flourish extending to the right.

Benjamin H. Layno
Primary Examiner
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bhl